

# Second Assembly Plenary Meeting (171) Votes and Proceedings for Tuesday, 29th November 2005

**The meeting commenced at 2.00pm**

**Item 1 - Motion to elect a member to the Business Committee**  
**NDM2704 Jane Hutt (Vale of Glamorgan)**

That the National Assembly for Wales, in accordance with Standing Order 8.4 and 13.2 elects Lisa Francis (Conservative) to its Business Committee in place of David Melding (Conservative).

A vote was taken on the motion:  
For 29; Abstain 0; Against 0; Total 29  
The motion was carried

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**Item 2 - Questions to the First Minister**

All 15 questions were answered. Questions 9+14 were grouped together for answer. Question 13 was withdrawn.

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**2.48pm**

**Item 3 - Business Statement**

The business statement was agreed

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**2.53pm**

**Item 4 - Statement by the Minister for Health and Social Services: The risk from cryptosporidiosis**

## **in the water supply in North West Wales**



**3.14pm**

***This item was not subject to debate and proceeded to a vote immediately***

### **Item 5 - Motion to approve under Standing Order 24.25**

NDM2694 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 24.25:

1. a) Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 22 November 2005 on the draft The Health and Social Care (Community Health and Standards) Act 2003 Commencement (Wales) (No3) Order 2005; and

b) Approves that The Health and Social Care (Community Health and Standards) Act 2003 Commencement (Wales) (No3) Order 2005 is made in accordance with:

i) the draft Order laid in the Table Office on 8 November 2005

2. a) Considers the report of the Legislation Committee laid in the Table Office on 8 November 2005 on the draft The Education (Recognised Bodies)(Wales) Order 2005; and

b) Approves that The Education (Recognised Bodies)(Wales) Order 2005 is made in accordance with:

i) the draft Order laid in the Table Office on 17 November 2005;

ii) the regulatory appraisal laid in the Table Office on 7 November 2005; and

3. a) Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 22 November 2005 on the draft The National Assistance (Assessment of Resources) (Amendment No2) (Wales) Regulations 2005; and

b) Approves that The National Assistance (Assessment of Resources) (Amendment No2) (Wales) Regulations 2005 are made in accordance with:

- i) the draft Order laid in the Table Office on 15 November 2005;
- ii) the regulatory appraisal laid in the Table Office on 18 November 2005;

4. a) Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 22 November 2005 on the draft The Adoption Information and Intermediary Services (pre-Commencement Adoptions) (Amendment) (Wales) Regulations 2005; and

b) Approves that The Adoption Information and Intermediary Services (pre-Commencement Adoptions) (Amendment) (Wales) Regulations 2005 are made in accordance with:

- i) the draft Order laid in the Table Office on 15 November 2005;
- ii) the regulatory appraisal laid in the Table Office on 18 November 2005; and
- iii) the Memorandum of Corrections laid in the Table Office and e-mailed to Assembly Members on 22 November 2005.

A vote was taken on the motion:

For 48; Abstain 0; Against 0; Total 48

The motion was carried

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### **3.15pm**

#### **Item 6 - Motion to approve the Civil Partnership Act 2004 (Consequential Amendments to Subordinate Legislation)(Wales) Order 2005**

NDM2695 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Civil Partnership Act 2004 (Consequential Amendments to Subordinate Legislation) (Wales) Order 2005 a copy of which was laid in Table Office on 8 November 2005.

A vote was taken on the principle of the Order

For 43; Abstain 1; Against 1; Total 45

The principle of the order was approved

NDM2696 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 22 November 2005 in relation to the draft The Civil Partnership Act 2004 (Consequential Amendments to Subordinate Legislation) (Wales) Order 2005; and

2. Approves that the draft The Civil Partnership Act 2004 (Consequential Amendments to Subordinate Legislation) (Wales) Order 2005 is made in accordance with:

a) the draft laid in the Table Office on 8 November 2005;and

b) the Memorandum of Corrections laid in the Table Office and e-mailed to Assembly Members on 22 November 2005.

A vote was taken on the Order

For 41; Abstain 1; Against 1; Total 43

The Order was approved

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**3.19pm**

**Item 7 -**

### **Motion to approve The Food Hygiene (Wales) Regulations 2005**

NDM2697 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of The Food Hygiene (Wales) Regulations 2005 a copy of which was laid in Table Office on 9 November 2005.

A vote was taken on the principle of the Regulations

For 49; Abstain 0; Against 0; Total 49

The principle of the regulations was approved

NDM2698 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 22 November 2005 in relation to the draft The Food Hygiene (Wales) Regulations 2005; and

2. Approves that the draft The Food Hygiene (Wales) Regulations 2005 are made in accordance with:

- i) the draft laid in the Table Office on 9 November 2005;
- ii) the Regulatory Appraisal laid in the Table Office on 14 November 2005.

A vote was taken on the Regulations  
For 48; Abstain 0; Against 0; Total 48  
The Regulations were approved

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**3.28pm**  
**Item 8 -**

**Motion to approve under Standing Order 25 (Section3) the Code of Practice for using Plant Protection Products**

NDM2699 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 25.3:

Approves the draft The Code of Practice for Using Plant Protection Products a copy of which was laid in Table Office and copies placed in the Members Library on 22 November 2005; and notes the Explanatory Memorandum for this Code laid in the Table Office and e-mailed to Assembly Members on 22 November 2005.

A vote was taken on the motion:  
For 50; Abstain 0; Against 0; Total 50  
The motion was carried

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**3.29pm**  
**Item 9 -**

**Motion to approve under Standing Order 25 (Section3) the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and Wales) Regulations 2005**

NDM2700 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 25.13:

Approves the draft The Pesticides (Maximum residue Levels in Crops, Food and Feeding Stuff) (England and Wales) Regulations 2005 a copy of which was laid in Table Office and e-mailed to Assembly Members on 22 November 2005; and notes the Explanatory Memorandum for these Regulations laid in Table Office and e-mailed to Assembly Members on 22 November 2005.

A vote was taken on the motion:  
For 52; Abstain 0; Against 0; Total 52  
The motion was carried

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**3.30pm**  
**Item 10 - Motion to approve under Standing Order 25 (Section3) the Voluntary Adoption Agencies (Amendment) Regulations 2005**

NDM2701 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 25.13:

Approves the draft The Voluntary Adoption Agencies (Amendment) Regulations 2005 a copy of which was laid in Table Office and e-mailed to Assembly Members on 22 November 2005; and notes the Explanatory Memorandum for these Regulations laid in Table Office and e-mailed to Assembly Members on 22 November 2005.

A vote was taken on the motion:  
For 52; Abstain 0; Against 0; Total 52  
The motion was carried

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**3.34pm**  
**Item 11 - Plaid Cymru nominated debate**

NDM2702 Jocelyn Davies (South Wales East)

The National Assembly for Wales:

1. Recognises the crisis in the Welsh dairy industry and condemns the Welsh Assembly Government's failure to:

a) effectively support the retention of processing facilities;

- b) develop capacity in the dairy processing sector; and
- c) address the artificially low farm gate price for milk

2. Calls on the Welsh Assembly Government to:

- a) ensure that the economic development strategy recognises the importance of the dairy processing industry to the Welsh economy; and
- b) ensure that sustainable wealth creation strategies extend beyond the M4 and A55 corridors.

The following amendment was tabled:

Amendment 1 - Kirsty Williams (Brecon and Radnorshire)

Insert new point 2 and renumber subsequent points accordingly:

Calls on the Welsh Assembly Government to strengthen the rural economy by:

- a) introducing free school milk at key stage 2, building on the success of free school milk at key stage 1;
- b) helping to establish a Welsh Brand of fair deal milk, ensuring a fair price for producers, processors and all key stakeholders in the supply chain.

Amendment 1

For 6; Abstain 19; Against 29; Total 54

Amendment 1 was defeated

The motion

For 25; Abstain 0; Against 29; Total 54

The motion was defeated

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**4.27pm - 4.39pm**

**The meeting was adjourned because of a fire alarm.**

**4.39pm**

**Item 12 - Debate on the Welsh Assembly Government's response to the Childcare Working Group**

NDM2703 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Notes the Childcare Strategy "Childcare is for Children"; the Welsh Assembly Government's response to the Childcare Working Group.
2. Endorses the aim of the strategy in expanding quality childcare provision in Wales.

The following amendments were tabled:

Amendment 1 - Jocelyn Davies (South Wales East)  
In Point 2 after quality insert 'affordable'.

Amendment 1  
For 48; Abstain 0; Against 1; Total 49  
Amendment 1 was carried

Amendment 2 - Kirsty Williams (Brecon and Radnorshire)

Add new point at end of motion:

Calls on the Assembly Government to ensure that any new responsibilities for local government under the Childcare Strategy will be fully funded.

Amendment 2  
For 50; Abstain 0; Against 0; Total 50  
Amendment 2 was carried

Amendment 3 - Kirsty Williams (Brecon and Radnorshire)

Add new point at end of motion:

Believes that the specific needs of Special Educational Needs children should be fully reflected and supported in the strategy.

Amendment 3  
For 49; Abstain 0; Against 1; Total 50  
Amendment 3 was carried

Amendment 4 - Kirsty Williams (Brecon and Radnorshire)

Add new point at end of motion:

Recognises that the lack of affordable childcare represents a significant barrier to economic activity for many women.

Amendment 4



For 50; Abstain 0; Against 0; Total 50  
Amendment 4 was carried

Amendment 5 - Kirsty Williams (Brecon and Radnorshire)

Add new point at end of motion:

Recognises that high quality service in childcare rests upon an experienced and incentivised workforce.

Amendment 5

For 50; Abstain 0; Against 0; Total 50

Amendment 5 was carried

Amendment 6 - David Melding (South Wales Central)

Add new point at end of motion:

Requires the Welsh Assembly Government to tackle the contradictions created when Local Authority and Police Guidance is inconsistent with the delivery of National Assembly childcare objectives.

Amendment 6

For 10; Abstain 10; Against 29; Total 49

Amendment 6 was defeated

The motion, as amended

NDM2703 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Notes the Childcare Strategy "Childcare is for Children"; the Welsh Assembly Government's response to the Childcare Working Group.
2. Endorses the aim of the strategy in expanding quality affordable childcare provision in Wales.
3. Calls on the Assembly Government to ensure that any new responsibilities for local government under the Childcare Strategy will be fully funded.
4. Believes that the specific needs of Special Educational Needs children should be fully reflected and supported in the strategy.
5. Recognises that the lack of affordable childcare represents a significant barrier to economic activity for many women.
6. Recognises that high quality service in childcare rests upon an experienced and incentivised workforce.

For 50; Abstain 0; Against 0; Total 50  
The motion, as amended, was carried

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**The meeting concluded at 5.32pm**  
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**The Assembly will sit again in Plenary at 2.00pm on  
Wednesday, 30th November 2005**

**E P Silk**

**Clerk to the Assembly**

**DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET**

November 25, 2005

Document(s) LD5172 - Wales Audit office: Adult mental health services in Wales  
LD5173 - Report by the Education and Lifelong Learning Committee on: Assembly Learning Grants  
and Loans (Higher Education) (Wales) Regulations 2006  
LD5174 - Local Government and Public Services Committee Scrutiny Project

November 24, 2005

Document(s) LD5133 - Wales Audit Office - Funding for the National Botanic Garden  
LD5169 - The Meat (Official Controls)(Charges)(Wales) Regulations 2005  
LD5170 - The Feed (Hygiene and Enforcement) (Wales) Regulations 2005  
LD5171 - The HASS (Wales) Directions 2005